

REMARKS

Status of Claims

Claims 1-13 are pending and have been examined. Claims 1, 2, 5-8 and 11-13 have been rejected under 35 U.S.C. 102(a) as being anticipated by Wu et al.'s 2000 article, "A Fast Graph-Based Alternative Wiring Scheme for Boolean Networks". Claims 3, 4, 9 and 10 have been rejected under 35 U.S.C. 103(a) as being unpatentable over the same article, in view of Kunz et al.'s 1997 article, "Logic Optimization and Equivalence Checking by Implication Analysis".

In response to the rejections, Applicants respectfully submit the enclosed affidavits under 37 C.F.R. 1.132, which declare unequivocally that the inventorship of the present patent application is correct, and that the present inventors of the present application (WU and FAN) were the sole inventors of the subject matter disclosed in (and were two of the co-authors of) the technical articles "A Fast Graph-Based Alternative Wiring Scheme for Boolean Networks", by Y.L WU, W. LONG and H.B. FAN, from the year 2000, which were cited by the Examiner in rejecting claims from the present application, and which were provided to the Patent Office in an Information Disclosure Statement dated January 22, 2003.

Accordingly, Applicants respectfully submit that Wu et al.'s 2000 article, "A Fast Graph-Based Alternative Wiring Scheme for Boolean Networks" is therefore disqualified as prior art under 35 U.S.C. 102(a), for all rejections under either 35 U.S.C. 102(a) or 35 U.S.C. 103(a). Given the priority date of December 14, 2000 of the present Application, the article also does not qualify as prior art under any other subsection of 35 U.S.C. 102.

In case the basis for disqualification is not self evident, Applicants respectfully point out that "there is no requirement that all individuals listed as authors of a technical paper also be listed as inventors in a patent application...

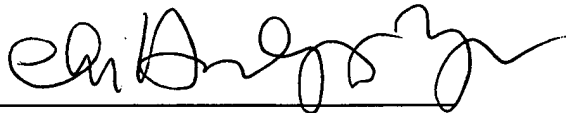
On the contrary, the requirements for authorship are quite different from those for inventorship". (Quoted from the treatise, *Patent Prosecution, Second Edition*, by Irah H. Donner, BNA Books, Washington, DC, 1999, Chapter 4.IX.C., which cites *In re Katz*, 687 F.2d 450. *In re Katz* is also cited in M.P.E.P. 716.10, which discusses using affidavits under 37 C.F.R. 1.132 for disqualifying references derived from an applicant's own work.) Applicants also respectfully point out that M.P.E.P. 716.10 states that "[a]n uncontradicted 'unequivocal statement' from the applicant regarding the subject matter disclosed in an article, patent, or published application will be accepted as establishing inventorship. *In re DeBaun*, 687 F.2d 459." In the present situation, Applicants also respectfully point out that there is nothing that "contradicts" Applicants' affidavits, and therefore the disqualification is proper.

Conclusion

Therefore, Applicants submit that their invention is not disclosed, taught, or suggested by the references of record. Therefore, it is submitted that all of the claims are allowable over the art of record and it is respectfully requested that the application be passed to allowance.

Dated: December 4, 2003

Respectfully submitted,



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